

Hon. Fern M. Smith (Ret.)
JAMS Inc.
Two Embarcadero Center, Suite 1500
San Francisco, California 94111
(415) 774-2649
(415) 982-5267 (fax)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In Re: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

Case No. M 07-1827 SI

**CONSENT OF SPECIAL MASTER
AND AFFIDAVIT**

1. I, Fern M. Smith, do hereby affirm under penalty of perjury, that I am retired from the Office of District Judge, U.S. Court, Northern District California, and am currently serving as a neutral at JAMS, in the office at Two Embarcadero Center, Suite 1500, San Francisco, California, 94111.

2. I have received the Order Re: Appointment of Special Master, signed by United States District Judge Susan Illston and I hereby consent to appointment as Special Master in the above-entitled case. The normal rate of compensation as a neutral Special Master is \$700 per hour.

3. I have read and reviewed the grounds for disqualification under 28 U.S.C. § 455.

1 and declare as follows:

2 a. I have no personal bias or prejudice concerning a party or personal knowledge
3 of disputed evidentiary facts concerning the proceeding.

4 b. I have not served in private practice since 1986 and have not served as a lawyer
5 in the matter in controversy, nor has any lawyer with whom I previously practiced law served
6 during such association as a lawyer concerning the matter, nor as a judge or lawyer have I
7 been a material witness concerning it.

8 c. I have not served in government employment wherein I would have participated
9 as counsel, adviser or material witness concerning the proceeding, nor have I expressed an
10 opinion concerning the merits of the case herein.

11 d. I know that neither I, individually or as a fiduciary, nor adult child residing in
12 my household, has a financial interest in the subject matter in controversy, nor in a party to
13 the proceeding, nor any other interest that could be substantially affected by the outcome of
14 the proceeding.

15 e. I state that any person within the third degree of relationship to me, nor the
16 spouse of such person:

17 (i) is a party to the proceeding, nor an officer, director, nor trustee of a party

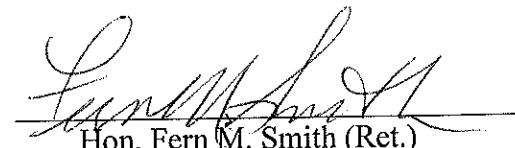
18 (ii) is acting as a lawyer in the proceeding;

19 (iii) is known by this special master to have an interest that could be
20 substantially affected by the outcome of the proceeding;

21 (iv) is to the Special Master's knowledge, likely to be a material witness in the
22 proceeding.

23 I declare under penalty of perjury that the preceding facts are true as known to me
24 or those matters not directly known to me are true on information and belief.

25
26
27 Dated: July 25, 2007


Hon. Fern M. Smith (Ret.)

PROOF OF SERVICE BY E-Mail

I, Nicole Demmon, not a party to the within action, hereby declare that on July 25, 2007 served the attached Consent of Special Master and Affidavit on the parties in the within action by electronic mail at San Francisco, CALIFORNIA, addressed as follows:

Alison Aubrejuan
Northern District
450 Golden Gate Avenue
San Francisco, CA 94102-3483
Alison_Aubrejuan@cand.uscourts.gov

I declare under penalty of perjury the foregoing to be true and correct. Executed at San Francisco, CALIFORNIA on July 25, 2007.



Nicole Demmon
JAMS The Resolution Experts
ndemmon@jamsadr.com ADDRESS